



USAID
FROM THE AMERICAN PEOPLE

CASE MANAGEMENT ASSESSMENT – KENYAN JUDICIARY

3 Aug 2016

This publication was produced for review by the United States Agency for International Development. It was prepared by Chemonics International.

CASE MANAGEMENT ASSESSMENT – KENYAN JUDICIARY

Contract No. AID-OAA-I-13-00032

Order No. AID-OAA-TO-14-00041

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

CONTENTS

Executive Summary.....	I
Case Management Assessment.....	2
I. Assessment Dates and Methodology	2
II. Court Structure and Distribution	2
III. Automated Case Management Systems in Place	3
A. Eldoret Magistrates Court CMS.....	5
B. Machakos Court CMS.....	6
C. Mombasa Magistrates Court CMS.....	6
D. Issues Common to All Three CMS Installations	7
IV. Donor Support to Judiciary	7
A. World Bank/PJIP.....	7
B. British High Commission – Active Case Management (Criminal).....	8
C. International Development Law Organization (IDLO) – Electronic Court Recording.....	9
D. Ford Foundation – Supreme Court	9
E. United Nations Development Programme	9
F. European Union	9
G. GIZ (German)	9
V. Findings.....	10
VI. Opportunities and Recommendations	10
A. Developing a Universal Case Management System for Magistrate Courts.....	10
B. Plea Bargaining.....	12
C. Criminal Case Active Management	13
D. Other Possible Case Management-Related Initiatives	13
VII. Next steps.....	14
VIII. Acknowledgements.....	15
Annex A. List of Persons Met With	16
Annex B. Kenyan Judicial Structure	18
Annex C. Screenshots of Eldoret CMS.....	19
Annex D. Screenshots of New York State Court Case Information website	25

EXECUTIVE SUMMARY

“Caseflow management is the coordination of court processes and resources so that court cases progress in a timely fashion from filing to disposition.”

David C. Steelman

“Justice delayed is justice denied.”

Wm. Gladstone

The Kenyan Judiciary is in an intensive period of organizational and administrative reform. Strategic plans and frameworks have outlined the Judiciary’s desire to become more transparent, accountable, effective and service-oriented. Task forces and working groups have developed well-considered manuals, guidelines and policies. The Judiciary has worked closely with donors such as the World Bank to implement a broad reform agenda. As recently as May 5, 2016, the Chief Justice launched four new initiatives: Court-Annexed Mediation, Judiciary Automated Transcription System, Electronic Diary (replaces judge’s paper calendaring book), and Public Information Desks. Most of these initiatives are at the pilot stage but still, the level of effort is impressive.

A prominent goal in the Judiciary’s strategic plan is the expeditious resolution of cases. There is a realization that reliable case data must be available to inform the parties, public and the courts, and that functional case management systems will be needed to provide that data.

This report assesses the state of case management systems in the Kenya Judiciary and makes some recommendations for the way forward. It was prepared for USAID under the Security Sector Governance Program, which supports the Security Governance Initiative (SGI).

At this time, there is an excellent opportunity to leverage existing case management efforts into a more universal electronic case management system that could be successfully deployed in all of the Magistrate Courts in Kenya. Of course, some time and effort would be involved but this could be done in a fairly short timeframe at a relatively low cost. This would further the goals of SGI by increasing the transparency and accountability of the Kenyan Judiciary. It would do so by allowing the courts, prosecutors, the police, advocates and the public to track, in real time, the progress of cases through the courts. It would provide valuable caseload data to policy-makers in the Judiciary, to court leadership and to individual judges and magistrates.

CASE MANAGEMENT ASSESSMENT

I. ASSESSMENT DATES AND METHODOLOGY

To further the Security Governance Initiative, and with funding from USAID, Mr. Bob Wily conducted a needs assessment of case management systems in the Kenyan courts. . As specified in the scope of work, the objective was to “assess existing judicial case management processes and procedures currently being used by the Government of Kenya.” To accomplish this, the consultant visited Kenya from April 12-28, 2016. Since Chemonics does not currently have a field office in Kenya, logistical support in country was provided by the office of the Resident Legal Advisor at the U.S. Embassy in Nairobi. Bill Narus and/or Lilian Orieko, from the Embassy, assisted in meeting arrangements and attended all meetings. The consultant was able to meet with many of the decision-makers in the courts, judicial officers, donors and other stakeholders (see Annex A for a list of meeting participants). The consultant also visited three courts with functioning electronic case management systems, and spoke with the chief magistrates, ICT staff officers, and others in those courts. While in the courts, the consultant visited the registries to review manual as well as automated case management procedures in use. A draft report was provided to Chemonics and USAID on May 11, 2016 and after review and editing cycles, this final report was submitted on August 3, 2016.

II. COURT STRUCTURE AND DISTRIBUTION

The Judiciary in Kenya is an independent institution as stipulated in chapter ten of the Constitution of Kenya, 2010. It comprises of superior and subordinate courts. The superior courts are the Supreme Court, the Court of Appeal, the High Court and courts of special jurisdictions, namely the Industrial and Labor Relations Court and the Environmental and Land Court. All superior courts have appellate jurisdiction. However, the Supreme Court, the High Court and special jurisdiction courts also have original jurisdiction as prescribed in their respective statutes.

The subordinate courts are comprised of the magistrate courts, the Kadhi courts, the courts martial and any tribunal established by an Act of Parliament. They are generally courts of the first instance unless precluded by statute or pecuniary limits. The judicial officers presiding over the superior court are ordinarily referred to as judges while those who preside over subordinate courts are referred to as magistrates. They are currently 113 judges and 455 magistrates in Kenya. The vast majority of criminal cases are adjudicated in magistrate courts.

It is, however, important to note that there are territorial and administrative divisions created within the High Court and the subordinate courts. The High Court, for instance, has 20 court stations (buildings) spread throughout the country. Each station has a resident judge, and a number of assisting judges and magistrates depending on the workload. For instance, the stations visited had the following number of judges: Mombasa- 8, Eldoret-3 and Nairobi-36. What this means is that crimes committed or claims arising within Mombasa and its environs will be heard in Mombasa and so on. Currently, 116 subordinate court stations in Kenya are mandated to hear cases that arise within their jurisdictions. This gives rise to the concept of territorial jurisdiction and applies to subordinate courts as well.

Administratively the High Court is divided into 7 divisions namely Commercial, Criminal, Family, Judicial Review, Constitutional & Human Rights, Civil and the Anti-Corruption and Economic Crimes Division. The other two are the Industrial and Labour and the Environmental and Land Court, which are described as special jurisdiction courts in, paragraph one above. It is only Nairobi Milimani High Court that has judges assigned to all the divisions. The High court in Nairobi because of the pressure of its workload has developed a mechanism for managing their case files. It is, therefore, important to note that administrative processes may vary from one station to another.

All court stations have what are referred to as court registries. These registries are manned by registry staff often referred to as court clerks. The registries are in charge of securing and storing files, accepting all documents from the public, accepting all court related payments and answering all queries. The registry therefore acts as the first contact point between the public and the judiciary. Registry officials also update the court diaries and generate daily cause lists. There are currently 143 registries countrywide.

The High Courts are courts of general and original jurisdiction. The only crime exclusively tried in the High Courts is murder. Virtually all other crimes, including attempted murder, are tried in the Magistrate Courts. The Magistrate Courts also have jurisdiction over civil matters and probate with no more than Kshs 20M (about \$200,000) in controversy. All appeals from the Magistrate Courts, including appeals of criminal cases, are heard in the High Courts. The Court of Appeal hears appeals from the High Courts and the Supreme Court hears certain cases from the Court of Appeal.

As of the most-recently published Judiciary Annual Report (FY 2013/14), there were 397,243 cases filed in all of the courts of Kenya during FY 2013/14. Of those, 346,741 (over 87%) were filed in the Magistrate Courts. For criminal cases, of 155,195 filed in the court system during the period, 139,545 (90%) were filed in the Magistrate Courts. According to the Judiciary's annual report, the criminal caseload has been rising rapidly in the Magistrate Courts. There was a 79% increase in criminal case filings in the Magistrate Courts from FY 2012/13 to FY 2013/14¹.

The average case (all courts, all case types) takes 667 days to resolve, and 30% of the pending caseload is over 5 years old.

It is clear that most of the cases, including criminal cases, are in the Magistrate Courts.

III. AUTOMATED CASE MANAGEMENT SYSTEMS IN PLACE

The recent attempts at automation of court procedures can be traced back to the Final Report on the Task Force on Judicial Reforms released in 2010 ("2010 Final Report"). The Report acknowledged delays in finalizing cases, missing court files and corruption as major issues and recommended the use of information and communications technology (ICT) in improving the administration of justice. The Report set out initiatives such as digitization of court records, short messaging service (SMS) inquiry systems, teleconferencing, electronic billboards, audiovisual recording systems, case tracking, integrated personnel and payroll system and digital recording of proceedings and transcription. The Report also recommended that "adequate finances and human resources be availed to roll out full implementation of an ICT strategy in the judiciary."

¹ Kenya State of Judiciary Report (2013-2014), p. 28

During the assessment, a number of initiatives were acknowledged as having been piloted in various courts. These included: teleconferencing facilities in the Mombasa and Nairobi Court of Appeal; audio-visual recording systems in the Supreme Court and Commercial Division of the High Court in Nairobi; video link system at Shanzu, Tononoka and magistrates court at Mombasa Law Courts; electronic diary in the Commercial Division of the High Court; case tracking system in the Family Division of the High Court in Nairobi and subordinate courts at Milimani Children's Court, Eldoret, Mombasa, Kapsabet and Machakos; and electronic billboards at the High Court in Nairobi and subordinate courts in Eldoret and Mombasa. The billboard at the High Court Nairobi, which apparently worked for some time, displayed the daily cause lists and accompanying updates. This means that a member of the public could tell, whether his case had been dispensed with or allocated a specific time. This was to decongest courtrooms by advising court users the time at which one would appear before a judge.

None of the systems mentioned above, except for the audio-visual recording in the commercial division,² are being used to full capacity by the date of the assessment for various reasons including, but not limited to, internet downtime, lack of awareness of the existence of these systems, system failures, training on how to use the systems, and a lack of computers and IT equipment. At the Nairobi and Mombasa court stations, the electronic billboards were displaying news about the judiciary instead of the daily cause lists. However, the electronic billboard at Eldoret was still being used to project the daily cause list using a PowerPoint application.

During the assessment period, the Children's Court at Milimani, in partnership with the US Embassy, conducted a one-week pilot project on digital recording and transcribing court proceedings. This involved setting up laptops and digital recorders in each of the six courts and employing two transcribers both to ensure that the proceedings were captured electronically and to transcribe them after court. The use of transcription services allowed the magistrates to concentrate on the testimony as opposed to handwriting the record of proceedings which is the current practice. The transcripts were completed within a week of the hearing, which was hailed as a success by the judiciary.

One 2010 Final Report recommendation that was implemented was the formation of the Directorate of ICT in 2012, which currently has 145 officers. The Directorate is drafting an ICT policy and a short-term strategic plan. The Judiciary also commissioned a survey of the ICT infrastructure in 2015 which was undertaken by an IT expert and revealed some milestones in ICT, such as that 50 out of the 121 court locations, or 30 percent, have local area network (LAN). A further 30 of those 50 courts also have a comprehensive wide area network (WAN). The survey found that, despite this network coverage, "not even one station reported that the network was usable or functional." Interviews with judicial and ICT officers confirmed that internet downtime was common. The judiciary has a judge-led committee to address ICT reforms.

Other interesting developments are the recent enactment of the High Court (Organization and Administration) Act, 2015 and the Court of Appeal (Organization and Administration) Act 2015 that incorporate case management and automation of court records and proceedings as part of judicial officers' functions. These Acts were operationalized in 2016.

² This pilot project launched on May 5, 2016.

The judiciary has also embarked on standardization of court procedures and launched the High Court and Subordinate Court and Kadhis Court operational manuals in 2013 and 2016 respectively. These manuals will seek to address the current lack of uniform administration procedures which make automation futile. The ICT Directorate reported that it seeks to standardize the nomenclatures of courts, types of cases and the actual unit of measures that can generate data without discrepancies.

A further in-depth study was undertaken in the following subordinate courts that have operational case management systems.

There are three main installations of electronic case management systems (CMS) in the Kenyan courts that are operational. Some of the courts also have installations in divisional posts, this report will discuss only the systems in headquarter courts. Each of the courts is very proud of the system that they have developed, as they should be. They are discussed in chronological order, beginning with the first to be deployed.

A. ELDORET MAGISTRATES COURT CMS

In 2009, the Chief Magistrates Court in Eldoret began developing an automated case management system. Financial and technical support was provided by USAID – Office of Transition Initiatives (OTI) through implementing partner DAI. The National Council for Law Reporting, a state corporation under the Judiciary with the mandate to publish judicial opinions and laws of Kenya, did the actual system development. The system was built on open source (free) software including PHP (essentially a programming language) and MySQL (a relational database).

In addition to storing key case information for both criminal and civil cases, a module for distributing case status via short message service (“SMS”) message was added. This allowed a court user to send an SMS message to the CMS and to receive back via SMS the status of the case, including the date, time and location of the next hearing scheduled.

The Eldoret CMS was deployed in 2010 with great enthusiasm and handled exclusively by the Judiciary in 2011. Also, in 2011, the system was installed into the Kapsabet Law Courts, a station about 45 km southwest of Eldoret.

All registry staff in Eldoret were trained in its use prior to launch. In 2010, over 13,545 cases were entered into the system. This level of activity decreased annually for a number of reasons: trained employees were transferred, system crashes were difficult to recover from due to lack of developer support, installation of a new network took servers offline, etc. In 2015, only 2,025 cases were entered due to system down time. However, now that the server room relocation is finished and the network restored, it appears that the court is currently catching up on entering pending cases into the system. During the first four months of 2016, 3,360 cases were entered into the system.

In April 2016, the CMS appeared to be working well during a visit. Court personnel gave a demonstration of how cases were opened, updated, and queried. See Annex C for selected screenshots of the system in action. All of the key case information is included and several options such as being able to track the physical location of a case file.

The courts use the data in the system mainly to check the status of a case in the registries and at the public counter in the lobby, and some data is exported from the system and then sorted

in Excel to create a cause list (daily calendar) that is displayed on a video screen in the public lobby. Cause lists to be printed for court personnel or posted in the courthouse are still being prepared manually using a word processor.

At the time of the visit, several of the modules of the Eldoret CMS were not being used. For example, the SMS message module to check on the status of a case is not functioning due to a number of technical issues. And, the court is not using the document-scanning function due to lack of server storage space. Both of the modules have functioned in the past. Even so, it is quite notable and commendable that the core functions of the system are still working and being used.

Additional software development would be needed before the Eldoret CMS could be considered to be a production-level system that could be used by all of the Magistrate Courts.

B. MACHAKOS COURT CMS

Machakos is a city about 60 km southeast of Nairobi. Beginning in 2012, the Machakos courts (High Court and Chief Magistrate Court) began development of their own electronic CMS. The court station did this on its own without donor support. An Information and Communications Technology (ICT) officer posted at Machakos did the programming, using PHP and MySQL.

Unlike the Eldoret/Mombasa system, the Machakos CMS does generate a very nice and official looking cause list of the cases to be heard by a judge or magistrate. Like other courts in Kenya, the Machakos court station emails their cause list seven days in advance to Kenya Law Reports, which posts them on their web site.

Although it collects the same key case information as Eldoret's system, the CMS in Machakos is somewhat simpler, in that it has no SMS module and the document scanning module was never completed, much less put into use. Of course, the court in Machakos would like to have both SMS and document scanning capability.

Most of the active case files have been entered into the system, but many of the old files have not. Due to limited personnel, the courts in Machakos do not enter data into the CMS when cases are filed with the judiciary. Rather, the data is entered when the case is set for a court hearing.

C. MOMBASA MAGISTRATES COURT CMS

In 2012, USAID-OTI, through then implementing partner Chemonics, provided the Mombasa courts with computers, network and other infrastructure in anticipation of a forthcoming CMS. It was expected that a CMS would be developed by the Judiciary, first for the Supreme Court and Election Tribunals, and then in a modified version for the Chief Magistrate Court Mombasa. When the CMS software did not materialize, UNODC (United Nations Office on Drugs and Crime) offered to bring Eldoret's system to Mombasa. This was not part of the USAID-OTI program and was funded separately by UNODC.

UNODC also provided additional equipment for Mombasa and Shanzu, including video conferencing equipment for arraignments. In June of 2015, the system launched in Mombasa (Chief Magistrate Court and Chief Kadhi Court), Tononoka Court and Shanzu Court. UNODC hired temporary data entry staff to key in the data from 14,500 cases. All of the criminal and traffic cases are in the CMS, plus the civil and family cases from Kadhi Court.

Since this is a direct import of the Eldoret system, functionality is equivalent at this point. Mombasa does not have the SMS module (which requires its own server) installed, but it would like to have it. In addition, the Mombasa courts do not use the document-scanning feature, except for fee receipts. They hope to add some multifunction printers that could be used for document scanning.

D. ISSUES COMMON TO ALL THREE CMS INSTALLATIONS

The lack of ongoing developer support is an impediment in all three installations. The courts would like to add functionality but cannot, largely due to human and financial resource constraints. For example, all three courts expressed a desire to add a public interface (such as a web interface) to data in their CMS, but none of them has it. In addition, some small modifications are needed, such as sorting cases on the cause list with the oldest cases appearing first.

One problem affecting the use of the CMSs in all three courts is the turnover of judicial officers and staff due to transfers. With trained staff frequently being transferred out and replaced with untrained staff, it is very challenging to maintain continuity of CMS data entry as a part of routine duties.

Competing priorities also cut against more complete usage of the CMSs. Since there is no overarching mandate that the CMS actually be used, competing priorities often move ahead of CMS data entry. In all three courts, it was mentioned that with the new annual performance contracts (essentially quotas for judicial officers), judges and magistrates are much more focused on getting their cases completed. This is a positive development but it also means that judicial officers and their staff are spending more time in the courtrooms, which reduces staff time available for updating the CMS. None of the three courts has computers in the courtrooms, which could help to address this problem.

Another competing priority that limits use of the CMS is the Daily Court Returns Template (DCRT) system, discussed in the next section. Nearly all of the data being collected on DCRT is already in the CMS for cases that have been entered. Therefore, in a court using CMS, it would be highly desirable to be able to export data out of CMS to satisfy all DCRT reporting requirements.

IV. DONOR SUPPORT TO JUDICIARY

A. WORLD BANK/PJIP

The Judiciary's main development partner at this time is the World Bank. The Government of Kenya obtained a \$120M loan from the bank in April of 2013. The end of the loan period is December of 2018, so the project is now mid-term. The project was named the Judiciary Performance Improvement Project – PJIP. Owing to startup difficulties during the first 18 months, only \$16.3M had been disbursed by the World Bank March of 2016. However, startup issues have been addressed and plans are in place for upcoming projects. The Judiciary has used the World Bank funds to build new courthouses as well to conduct major refurbishments of existing courthouses. In addition to infrastructure, funds from the project are used for performance management, backlog reduction, and strategic and administrative reform.

The Judiciary's Performance Management Division has developed annual performance management contracts that are signed by each judicial officer, which are reported to include the number of cases that the judicial officer agrees to complete during the upcoming fiscal year. This has greatly increased judicial officer awareness of the need to conclude cases in a timely manner. As mentioned, judicial officers appear to be spending more time in court deciding cases. It is unclear whether judges and magistrates are granting fewer adjournments, which are a major source of delay in the Kenyan courts.

The original development plan with the World Bank anticipated that funds would be used to create a comprehensive electronic CMS for the courts. The courts have determined that infrastructure was not in place to support full-fledged CMS deployment at this time and have substituted a scaled-back implementation: the Daily Court Returns Template. While court is in session, court clerks fill out a paper form in log sheet format. The entries capture basic case information as well as hearing information. These sheets are submitted to an employee at the court who keys them into an excel spreadsheet template. The completed templates are sent by email to ICT Nairobi each month. ICT then imports the data into a statistical analysis program called Stata. The primary use for the data is the preparation of the Chief Justice's annual report, which is a statutory requirement. Accordingly, the Chief Justice has mandated that each court collect and submit this data. The courts have been informed that part of their annual operating budget will depend on caseload and that caseload will be as determined from DCRT, causing compliance to be very high. While the DCRT process engages the courts in data awareness and data collection at a sustainable level, it does not provide an equal alternative to a more complete electronic CMS.

World Bank funds have been used to buy computer equipment, and more is planned. Every judicial officer has a laptop computer. Desktops PCs have also been installed and 200 more should be provided by the end of 2016.

In addition to an electronic CMS, the original PJIP anticipated an integrated justice information portal for cross-agency coordination, video recording, and video conferencing. All of these have been cut from the plan pursuant to the midterm evaluation, noting that the judiciary indicated that it is not ready to proceed with these initiatives. The project will, however, support audio court recording with transcription and speech to text transcription for decision writing.

B. BRITISH HIGH COMMISSION – ACTIVE CASE MANAGEMENT (CRIMINAL)

The British High Commission is providing technical support for prosecution of criminal cases. Specifically, they have worked with the Judiciary to develop "active case management" for criminal cases. It is essentially front-loading the case and includes a very good pretrial checklist. Guidelines have been adopted and are available on the Judiciary's web site. The sharing of information between parties results in the need for a large number of photocopies. Neither the court nor the parties are willing/able to bear the cost of these photocopies, and the Criminal Justice Advisor for the British High Commission in Kenya reported that this is the biggest impediment to implementation of active case management. For now, British High Commission is paying for copiers in pilot courts. The Chief Justice has directed that the active case management process be used in the Anticorruption Court and in Criminal Divisions of High Courts and Magistrate Courts.

The British High Commission office is also interested in plea-bargaining. During service week at the Children's Court in Nairobi, a number of plea bargains were successfully concluded. This, of course, is very promising since plea-bargaining could greatly reduce the criminal backlog of cases

in Kenya, as it does in the many other countries. The British High Commission office notes that the biggest hurdle is the absence of legal representation for defendants, since the prosecutor often cannot negotiate a plea with an unrepresented defendant. Most of the criminal defendants in Kenya are unrepresented. Plea-bargaining therefore needs to work in hand with legal aid or some form of *pro bono* representation.

C. INTERNATIONAL DEVELOPMENT LAW ORGANIZATION (IDLO) – ELECTRONIC COURT RECORDING

IDLO has been supporting a pilot project on electronic court recording and transcription. The current practice of the judge or magistrate taking a detailed record of the hearings in longhand slows down the proceedings in the courts in Kenya. This record is posted in the file as the official record of the hearings. The judges and magistrates rely on this record to produce their judgments. Taking of a detailed handwritten record in court greatly reduces the judicial officer's opportunity to observe the demeanor of witnesses and to be engaged in the proceedings. It is also inefficient, often inaccurate and creates an opportunity for manipulation. Moreover, when judges or magistrates are transferred between court stations (as they often are), there can be substantial delays if the subsequent judicial officer cannot read the departing officer's handwriting. In this pilot program, IDLO procured commercial court recording software (FTR), installed hardware and trained the judges and court staff in its use. The judges wanted each audio recording to be transcribed, and IDLO hired transcribers to do the job. This pilot project was handed over to the Judiciary on May 5, 2016 for further development.

In my debriefing meeting with the Chief Registrar of the Judiciary and the Deputy Chief Registrar of the Supreme Court, I mentioned that in many courts with electronic recording, the audio recording itself is the official record of the hearing and no transcript is prepared unless some party orders (and pays for) one. Of course, the judicial officer can always refer back to audio testimony as needed. They seemed very interested in that approach.

D. FORD FOUNDATION – SUPREME COURT

The Judiciary's annual report mentions that the Ford Foundation has donated \$1M for capacity building in the Supreme Court. I have no other details.

E. UNITED NATIONS DEVELOPMENT PROGRAMME

The UNDP contributed \$1.4M to a "basket fund" set up to move Judiciary transformation initiatives forward. UNDP funding supported the performance management system, Alternative Dispute Resolution and strategic planning. UNDP participation was set to end in June 2016.

F. EUROPEAN UNION

At the Development Partners' Committee meeting on Judiciary Transformation, held on Apr 14, 2016, Julien Bouzon mentioned that he is anticipating a 34M euro grant to Kenya for judicial reform. It had not yet been fully approved by member states, but should be available beginning in 2017. He did not say how the funds would be targeted.

G. GIZ (GERMAN)

I have heard that GIZ is supporting public information desks and kiosks, but I have no further information.

V. FINDINGS

Findings from the case management assessment are summarized below:

1. The Kenyan Judiciary has strong leadership that is pushing forward significant reforms in a variety of areas.
2. The Court's ITC Directorate has highly qualified leadership but the department is severely understaffed and is stretched thin.
3. The Judiciary's World Bank loan can provide adequate funding for hardware and software needs for the next few years.
4. Development of a comprehensive electronic case management system was recently removed as a current program objective from the World Bank project. The judiciary agreed that it was not ready to proceed with that objective.
5. Most of Kenya's criminal (and civil) cases are filed in the magistrate courts.
6. The case management system developed for the chief magistrates court in Eldoret has been successfully replicated in two other courts: Kapsabet and Mombasa.
7. The High Court in Machakos contemporaneously developed a CMS that is similar in core functionality to the Eldoret system.
8. These CMS systems are functioning, but not to full capacity.
9. The judiciary could build on what has been done in Eldoret, Mombasa and Machakos to create a new CMS for universal use by the magistrate courts.
10. The ICT Directorate is currently working on an ICT policy and strategic plan, making this an opportune time to discuss strategic alternatives for CMS development.
11. The Judiciary is ready to embrace transcription services for taking of the court record.
12. Thirty courts already have comprehensive local and wide area networks that could sustain CMS.
13. The addition of secured Wi-Fi networks in the courts could economically provide network access to all locations in the courthouse where it is needed, including courtrooms.

VI. OPPORTUNITIES AND RECOMMENDATIONS

A. DEVELOPING A UNIVERSAL CASE MANAGEMENT SYSTEM FOR MAGISTRATE COURTS

The path to development of electronic case management systems is fraught with peril. There are many more failures than successes. One thing that the successful systems have in common is that they started where they were and built from there.

The problem is that court cases are not simple. There is not a simple transactional model as in banking software. With court cases, there can be multiple defendants or causes of action – each with a different outcome, multiple charges, changing attorneys, transferred judicial officers, perhaps an ADR track, a plea bargain track, a fast medium or complex litigation track, etc. Every successful electronic CMS is handcrafted for the particular court system served. There really is no off-the-shelf solution for court CMS. This is true even where a vendor supplies the CMS. Development is still a very expensive and time-consuming process.

There are many things that courts would like their CMS to do – interagency portals, assign cases based on weighted caseloads, automatically send the court or parties notices when action is due, full electronic filing, full electronic case records, video/audio recordings of hearings, publish case information to the internet, smart phones and SMS, provide management dashboards for decision-makers and local judicial officers, etc. These are all good but they are not the right place to start, especially with a large court system like that in Kenya.

Kenya could, however, take the the Eldoret/Mombasa/Machakos model and build it out to a production system that can be used by all of the Magistrate Courts. Of course, the Judiciary would first have to approve this as a strategic goal before it could move forward.

I would recommend the following to accomplish this:

1. Create a User Group to guide development of the system. The ICT officers in these three courts are well aware of what needs to be fixed and added. They should be in the user group, along with some registrars and one or two Magistrates. ICT Nairobi should be represented to be sure that data standards such as national case number are incorporated. ICT Nairobi has top-quality staff but they are stretched very thin. With the presidential election in August 2017, and all of the other work that is currently in progress, they will be more than fully occupied. I am recommending a parallel development of the Magistrate's CMS to continue to bring it up from the grassroots.
2. A qualified Kenyan ICT consultant should be contracted to facilitate and coordinate activities of the user group and the developer.
3. Actual coding could be done by a university ICT department. I believe that there are several universities that would jump at the chance, and would probably do it for free. This would begin a beneficial long-term relationship between the courts and the university. This is a strategy that the Kenyan Judiciary could employ to achieve sustainability – institutional rather than episodic development. Seychelles modified a CMS from Uganda. The University of Seychelles now maintains the CMS for the court. This is a possibility worth exploring. The university ICT departments are very good with open source software like PHP, MySQL and Linux. I believe that development in a university would be on a fast track compared to doing it in-house or hiring a typical vendor or developer.
4. Possible Enhancement/Fixes might include:
 - a. In the existing CMS, reduce number of free text fields and, where applicable, replace with standardized table driven values (e.g. name of court, name of Magistrate, name and address of advocates, nature of offense/cause of action, etc.)
 - b. Generate proper cause lists on demand in Word format (for printing and emailing to Kenyan Law Reports) and screen for public lobby display. Public lobby display should like scrolling airport screen, one or two lines per case, removed from list after call time passes. Use standardized template for cause list (e.g., including Judiciary logos) but with some customization possible (e.g. if a Magistrate wants oldest cases listed first)
 - c. Include shortcut keys to speed up data entry where possible (e.g., for criminal charge possession of controlled substance, can have that on a pick list, but with a case type code, like 86. In that field, just type 86 and the form populates with the charge, section of the criminal code, etc.)

- d. Pre-validate data to the extent possible. (e.g., you should not be able to enter a first mention date that is earlier than a filing date)
 - e. Full audit trail to show who made what changes in the record and when
 - f. Fix SMS module, allowing requesters to retrieve case status by keying in case number rather than some other number
 - g. Context/user specific screens. For example, in criminal case registry, civil case fields would not be shown. If used at an intake counter, only registration and query screens shown. If used in courtroom, only courtroom data entry and query screens shown, etc.
 - h. Export data needed to satisfy Daily Court Returns Template requirements
 - i. On calendaring function, automatically block out weekends and public holidays
 - j. Of course, there are the usual ICT issues that will also need to be addressed: security, backup/recovery, etc.
5. Every court needs a network and Wi-Fi networking has become the preferred model. In addition to being dramatically cheaper than traditional wired LANs, Wi-Fi is fast and secure when properly configured. Similarly, small inexpensive servers should work well for court applications. The Wi-Fi network would allow computers to be put where there are needed – courtrooms, chambers, registries, information desks, etc. The Wi-Fi networks would connect to Nairobi ICT using virtual private networking (VPN) through a commercial internet provider. This is a much less expensive alternative to leased data lines. The incremental cost of providing wireless networks to all courts is quite low. A rough estimate is \$2M to install wireless networks with uninterruptable power supplies in every court. Thirty courts already have wired networks and are connected to the Judiciary's wide area network. ICT Nairobi plans to add 24 more courts in the next phase. In those courts, Wi-Fi can be added to extend the existing network. The Judiciary would need to procure internet service from the best available local providers; this is something that ICT Nairobi is considering.
6. An existing or new user group task force should consider what use would be made of the data that is collected by this new CMS. This group would be determining what the outputs of the CMS would be, such as publication on the web. I have included screen shots from the New York state court system, which provides open access to case data from all of its courts (see Annex D). The Judiciary could provide something similar on the web, on smartphones and in a more limited way via SMS. Management reports and data dashboards would also be possible.

There is an excellent opportunity to move this forward in Kenya. If successful, this would make a wonderful case study for the continent. Kenya would be leading the way.

Note: It would not make sense to upgrade the CMS for only criminal cases. Nearly all of the fields are the same, and since courtrooms, judicial officers and staff flow freely between criminal and civil divisions, it is more logical to have one system that would serve both, as is done now in Eldoret and Machakos.

B. PLEA BARGAINING

As mentioned above, plea-bargaining could be a very good thing for the Kenyan courts. The next step is probably to create some guidelines about which cases should be engaged in plea-

bargaining and what the process should include. The British High Commission would probably like to be involved in this effort. Once guidelines are adopted, they could be integrated into the CMS.

C. CRIMINAL CASE ACTIVE MANAGEMENT

As discussed above, this would involve front-loading of criminal cases and use of the pretrial checklist developed by the Judiciary and British High Commission. These could also be integrated into the CMS. When a case is filed that fits into the active case management track, the CMS could calculate and give an appropriate date for the pretrial conference and other related dates.

D. OTHER POSSIBLE CASE MANAGEMENT-RELATED INITIATIVES

The following items are a little bit outside my scope of work on this activity, but they would be very useful to the Judiciary in achieving its goal of data-based management decisions.

1. Case Disposition Time Standards

As a part of the periodic audit of physical case files, the Judiciary's Performance Management Division determined that cases older than one year and applications older than 90 days are defined as backlogged. It also defined time standards for some events within a case, such the time from filing to first mention in court. These are fine, but the Judiciary would benefit from a more nuanced approach to time standards.

I recommend that time standards be established for all major case types in each court. For example, in the Magistrate Courts, serious crimes (as specified) might have one time standard, misdemeanors might have another and traffic cases another. In general, a time standard is how long that particular type of case should generally (e.g. 80%) take in that court. Establishing these time standards gives a more precise definition of when a case is backlogged. Then, the courts can begin to accurately track backlogged cases and give them the attention needed.

Time standards are usually set by a focus group of experienced judicial officers. The focus group can be facilitated or can be done entirely by the court.

2. Case Weighting

Case weighting is a system used to determine the amount of judicial effort needed for each major case type within a court. For example, the average attempted murder case might take 24.2 hours of judicial officer time (in chambers and in court combined) while the average traffic case might take 2 minutes of judicial officer time. Assigning weights to all major case types gives the judiciary some very useful data. For example, applying the weights to the annual number of case filings in a court can be used to determine how many judicial officers are needed to handle a given caseload. Used system-wide, it can inform decision makers how many judicial officers are needed to handle the current caseloads. It can be used for load balancing of judicial officers between courts. Moreover, it can be used within a court for case assignment. In this latter example, if a CMS has been programmed to use rules to assign cases to judicial officers, it could include the case weights as a factor. This is a very useful tool for courts. Case weights are usually developed by focus groups of experienced judicial officers, facilitated by a case weighting expert. I can make recommendations, if requested.

VII. NEXT STEPS

Despite the initiatives and activities over the last six years, the judiciary still has considerable interest in a national electronic case management system that can generate accurate data and improve the administration of justice.

Issues that need to be taken into consideration include:

1. Ensuring commitment from leadership within the Judiciary and the support of the judicial officers and Directorate of ICT. For a CMS to be a success the Chief Justice must be willing to endorse it and the judicial officers must work together with the Directorate of ICT to develop a system that is feasible and functional. Lessons can be learned from the high compliance rate in transmitting Daily Court Returns Templates forms because of a directive by the Chief Justice. On the other hand, the CMS systems currently in place are often neglected because there is no directive that they must be used.
2. Refining and expanding the CMS used in Eldoret, Mombasa, Kapsabet and Machakos.
3. Assisting the ICT directorate to enhance its capacity in coming up with an ICT Policy and a short-term strategic plan. This may include having a resident case management advisor, developing cost effective ICT enabling ideas, and standardizing filing and coding procedures that can then be mapped electronically.
4. Assisting the judiciary to come up with viable models of recording and transcribing court proceedings to expedite proceedings and allow judges and magistrates to focus on the testimony.
5. Assisting the judiciary with reliable internet connectivity.
6. Creating a public interface for any CMS to increase access to information and boost public confidence in the judiciary.

Short-term next steps include:

1. Explore the interest in embedding a case management advisor with the Judiciary of Kenya.
2. Create a working group to review the CMS used in Eldoret and to determine whether that CMS could be used nationally and whether it could be synchronized with the Daily Court Returns Template in a manner such that information would need to be entered only once to track cases, generate the DCRT, create the cause lists, and generate a calendar.
3. Create a standardized case filing system and case file-jacket for all court stations to ease the learning curve when judicial officers are transferred.
4. Arrange for a tour to the United States of the CMS working group to visit the National Center for State Courts and several state courts to examine best practices for a CMS in a busy state court with limited resources.
5. Hold a national case management forum in which the working group sensitizes the judiciary to the national case filing system, the national case file-jacket, and explains how the CMS will track cases, generate the DCRT, create cause lists, and generate a calendar.
6. Choose court stations in which to conduct a six-month pilot project on case management.

VIII. ACKNOWLEDGEMENTS

I am truly grateful to all of the individuals with whom I was able to meet during my two-week visit to Kenya (see Annex A for details). I was able to meet with a good number of individuals at the policy maker level, as well as department heads, key Judges and Chief Magistrates, technical staff in the headquarters office and the courts, representatives of donor organizations, and others. Every single person was generous with their time and was very willing to share their experience, insights and perspectives.

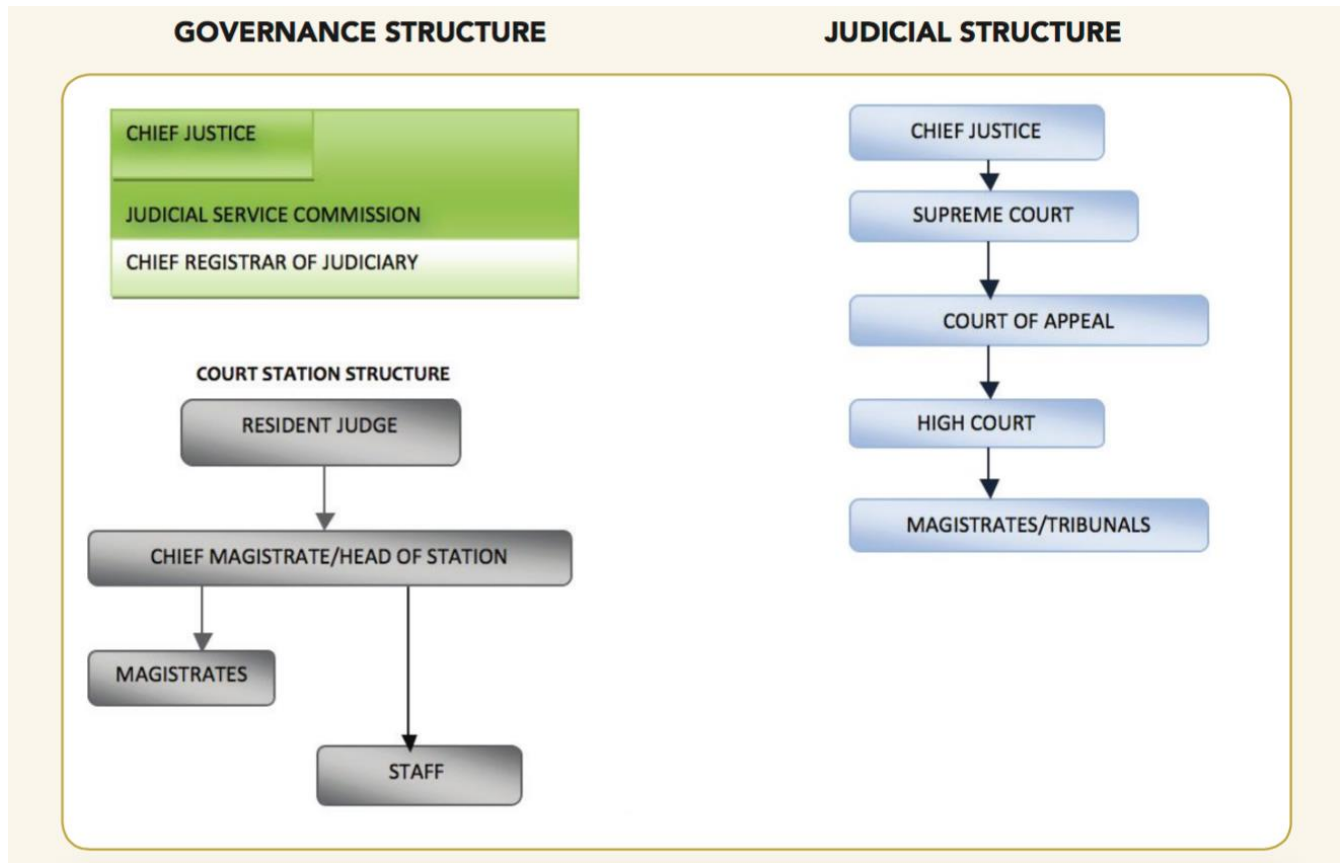
Thank you also to USAID and Chemonics for logistical and programmatic support and especially to Bill Narus and Lilian Orieko of the U.S. Embassy in Nairobi for their excellent support and advice.

ANNEX A. LIST OF PERSONS MET WITH

	Name	Title	Organization	Location of Meeting
1	Hon. Anne Amadi	Chief Registrar	Kenyan Judiciary	Supreme Court
2	Hon. Ann Asugah	Dep. Chief Registrar	Supreme Court	Supreme Court
3	Hon. Lydia Achode	Dep. Presiding Judge	Anticorruption & Financial Crimes Division of High Court	Milimani Courthouse (Nairobi)
4	Duncan Okello	Chief of Staff	Office of the Chief Justice	Milimani
5	Dominic Nyambane	Asst. Director	Performance Management Division	Milimani
6	Steven Ikelling	Acting Director	ICT	Milimani
7	Joseph Karanja	Dep Dir	ICT	Milimani
8	Hon. Richard Mwongo	Principal Judge	High Court	Milimani
9	Hon. Judy Omenge	Registrar	High Court	Milimani
10	Nancy Kanyago	Project Coordinator	World Bank PJIP	Milimani
11	Nick Menzies	Team Leader	World Bank PJIP	Washington, DC – via telephone
12	Noel Otieno	Executive Officer	Children's Court, Nairobi	Milimani
13	Kimberly Brown	Field Program Manager	IDLO	Milimani
14	Jennifer Barner	Criminal Justice Advisor	British High Commission	Upper Hill
15	Hon. Tripsisa Wamae	Chief Magistrate	Eldoret Law Courts	Eldoret
16	Francis Wamoto	ICT Officer	Eldoret Law Courts	Eldoret
17	Hon. Dolphina	Magistrate	formerly posted at Eldoret	Eldoret

	Alego		Chief Magistrate Court	
18	Ken Okello	ICT Officer	Eldoret Law Courts	Eldoret
19	Stephen K.A. Ng'Ososei	Member, Court Users Group	Eldoret	Eldoret
20	Phillip Barno	Member, Court Users Group	Eldoret	Eldoret
21	Hon. Susan Shitubi	Chief Magistrate	Mombasa Law Courts	Mombasa
22	Collins Ayodo	ICT Officer	Mombasa Law Courts	Mombasa
23	Hon. Gitonga Mbogo	Chief Magistrate	Malindi Law Courts	Mombasa – at hotel
24	Hon. Lucy Mbugua	Chief Magistrate	Machakos Law Courts	Machakos
25	Lawrence Momanyi	ICT Officer	Machakos Law Courts	Machakos
26	Nyimbi Odero	ICT Consultant	Independent	Nairobi
27	John Langlois	Africa Advisor	USAID/OTI	U.S. Embassy
28	Kaitlin Meredith	Maritime Crime specialist	UNODC	U.N. offices
29	Johan Kruger	Transnational Crime specialist	UNODC	U.N. offices
30	Martin Mbui	ICT Consultant	UNODC	U.N. offices
31	Bill Narus	Resident Legal Advisor	Dept. of Justice	U.S. Embassy
32	Lilian Orieko	Lawyer	Dept. of Justice	U.S. Embassy

ANNEX B. KENYAN JUDICIAL STRUCTURE



ANNEX C. SCREENSHOTS OF ELDORET CMS

New case

LEGAL CASE MANAGEMENT SYSTEM
ELDOROT CHIEF MAGISTRATE COURT

NEW CASE

☒ Add an organisation (E.g. Law Firm)

Find organisation:

Name:

Court registration:

Tax number:

Statistical reference number:

Organisation Category: (Mandatory) Law Firm

Notes:

Contacts

Home address: (Recommended)

Phone (home): (Recommended)

Other contact:

Other contact:

Search

Find case:

Find party:

Find organisation:

Font size

File Edit View History Bookmarks Tools Help

LEGAL CASE MANAGEMENT... New Tab

10.46.101.6/legalcase/edit_case.php/cases/0

Search

Next activities

21 Apr 16, 09h13 - CR
2294 / 2014 REP VS
COLLINS OTIENO
GDHAMBQ

18 May 16, 09h15 - CR
2394 / 2014 REP VS
COLLINS OTIENO
GDHAMBQ

Other contact: ...

Other contact: ...

Party

☒ Add a Party (E.g Accused, Plaintiff, Magistrate, etc)

Find Party:

Name:

Middle name:

Surname:

Date of birth:

Gender: n/a

Citizen number (Passport or National ID Number):

Civil status: Undisclosed

Income: Unknown

Client Category: (Mandatory)

Notes:

Contacts

Home address: (Recommended)

Phone (home): (Recommended)

Other contact: ...

9:05 AM

File Edit View History Bookmarks Tools Help

LEGAL CASE MANAGE... x New Tab

10.46.101.6/legalcase/edit_case.php?caseid=

Search

Find case:

Title:

Filing Date: 20 April 2016

Arrest Date(If Applicable): January

Police Case Number:

Police OB Number:

Legal Justification(Charge): (Mandatory)

Alleged Crime (Particulars of Offence): (Mandatory)

Main Court: (Mandatory) Eldoret Chief Magistrate Court

Case Category: (Recommended)

Physical File Location: (Optional)

Traffic: (Optional)

Reference number: (Mandatory) Court File number

Plea Court Name: (Mandatory) Court 1

Court Language: (Mandatory) English

Windows Taskbar: 9:06 AM

AFTER REGISTRATION

The screenshot displays the LEGAL CASE MANAGEMENT SYSTEM interface. The browser address bar shows the URL `10.46.101.6/legalcase/votcases.php`. The system header includes the title "LEGAL CASE MANAGEMENT SYSTEM" and the subtitle "ELDEREST CRISP MAGISTRATE KERIC".

Main menu:

- Cases
- Parties
- Organizations
- Internal requests
- Users

Administration:

- Site configuration
- Archives
- Reports
- Custom fields

Calendar:

April 2016

Mo	Tu	We	Th	Fr	Sa
					1
2	3	4	5	6	7
8	9	10	11	12	13
14	15	16	17	18	19
20	21	22	23	24	25
26	27	28	29	30	

Agenda:

Next activities

- 31 Apr 16, 09:15 - CR 2294 / 2016 REP VS COLLINS OTIENO ODIAMBO
- 15 May 16, 09:15 - CR

MY CASES

List of the cases you are working on. You can click on the case title in the list below to view the details page of the chosen case. You can also limit the list of cases to specific criteria using the filters.

Filter: All cases Year 2016 [Validate](#)

#	Creation date	Title	Status
ECMC/47289/2016	19 Apr 2016	CR 2503/16 REP VS SAMMY MUTORO	Open
ECMC/47288/2016	19 Apr 2016	CR 2495/16 REP V WINNIE MUAMBE	Open
ECMC/47287/2016	19 Apr 2016	CR 2502/16 REP VS SHADRACK BUSENEI	Open
ECMC/47286/2016	19 Apr 2016	CR 2499/16 REP V PETER KAKAI SHIRANDULA	Open
ECMC/47285/2016	19 Apr 2016	CR 2501/16 REP VS STEPHEN NJOROGE NJERI AND ANOTHER	Open
ECMC/47284/2016	19 Apr 2016	CR 2433/16 REP VS CORNELIUS KIPKOGEL	Open
ECMC/47283/2016	19 Apr 2016	CR 2500/16 REP VS MONICAH CHEPCHIRCHIR	Open
ECMC/47282/2016	19 Apr 2016	CR 2443/16 REP VS JONATHAN NGUNGI	Open
ECMC/47281/2016	19 Apr 2016	CR 2445/16 REP VS JOHN WAWERU	Open
ECMC/47280/2016	19 Apr 2016	CR 2440/16 REP VS WILLIAM KIPKOSKET KISOROJI ALIAS SENJE	Open
ECMC/47279/2016	19 Apr 2016	CR 2497/16 REP VS JOHN WAWERU AND ANOTHER	Open
ECMC/47278/2016	19 Apr 2016	CR 2438/16 REP VS JOSEPH SAIDI	Open
ECMC/47277/2016	19 Apr 2016	CR 2435/16 REP VS BONFACE AGAVA ANTHONY	Open
ECMC/47276/2016	19 Apr 2016	CR 2449/16 REP VS JOSEPH OKWACH	Open
ECMC/47275/2016	19 Apr 2016	CR 2441/16 REP VS IBRAHIM MASIONGO	Open

Go to page: [1] 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99

Profile:

[KAD, CAG](#)

[My preferences](#)

[Logout](#)

Search:

Find case: [Search](#)

Find Party: [Search](#)

Find organisation: [Search](#)

Font size:

[A-](#) [A](#) [A+](#)

File Edit View History Bookmarks Tools Help

LEGAL CASE MANAGE... New Tab

10.46.101.6/legalcase/case_det.php?case=47286

LEGAL CASE MANAGEMENT SYSTEM
ELDORET CHIEF MAGISTRATE COURT

Case DETAILS: #47286 CR 2499/16 REP V PETER KAKAI SHIRANDULA

General Follow-ups Agenda Requests Time and Cash Summary Documents

General information

Case ID: **ECMC/47286/2016** Stage history

Title: **CR 2499/16 REP V PETER KAKAI SHIRANDULA**

User: **timothy KUS OBA** 18 Apr 2016: Trial

Creation date: Tuesday, 19th April 2016, 12h55

Filing Date: Monday, 18th April 2016

Arrest Date(If Applicable):

Police Case Number: **814/68/016**

Police OB Number: **5/18/4/016**

Time spent on case: 0 h

Legal Justification(Charge): C/SEC 251 OF PC

Alleged Crime (Particulars of Offence): ASSAULT CAUSING ACTUAL BODILY HARM

Main Court: **Eldoret Chief Magistrate Court**

Case Category: **Criminal Case**

Physical File Location: **PEGION HOLE COURT 6**

Plea Court Name: **Court 6**

Court Language: **English/Kiswahili**

Notes: CASH BAIL AT 10,000

Status: Open

Stage: Trial

Office collaboration and confidentiality:

Other users can consult this case.: yes

Other users can contribute to this case.: yes

Administration

Site configuration

Archives

Reports

Custom fields

Calendar

April 2016

Mo	Tu	We	Th	Fr	Sa
					1
2	3	4	5	6	7
8	9	10	11	12	13
14	15	16	17	18	19
20	21	22	23	24	25
26	27	28	29	30	

Agenda

Next activities

21 Apr 16, 09h13 - CR 2294 / 2016 REP VS COLLINS OTIENO ODHIAMBO

Profile

Jan Chelili

My preferences

Login

Search

Find case: Search

Find Party: Search

Find organisation: Search

Font size

A- A A+

10.46.101.6/legalcase/case_det.php?case=47286&tab=times

9:14 AM

File Edit View History Bookmarks Tools Help

LEGAL CASE MANAGE... New Tab

10.46.101.6/legalcase/case_det.php?case=47286&tab=appointments

LEGAL CASE MANAGEMENT SYSTEM
BUDGET CHIEF MAGISTRATE'S COURT

MAIN MENU

- Cases
- Parties
- Organisations
- Internal requests
- Users

ADMINISTRATION

- Site configuration
- Archives
- Reports
- Custom fields

CALENDAR

April 2016

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	
8	9	10	11	12	13	
14	15	16	17	18	19	
20	21	22	23	24	25	
26	27	28	29	30		

Agenda

Next activities

21 Apr 16, 09h15 - CR 2294 / 2016 REP VS COLLINS OTIENO ODHIAMBO

18 May 16, 09h15 - CR

CASE DETAILS: #47286 CR 2499/16 REP V PETER KAKAI SHIRANDULA

General Follow-ups **Agenda** Requests Time and Cash Summary Documents

Future activities or tasks for this case

Start	Length	Type	Venue	Title	Reminder
28 Apr 16, 09h00	0	Mention	Court 6	CR 2499/16 REP V PETER KAKAI SHIRANDULA	28 Apr 16, 09h00
18 May 16, 09h00	0	Hearing	Court 6	CR 2499/16 REP V PETER KAKAI SHIRANDULA	18 May 16, 09h00

[Enter a new activity](#)

Profile

[Jan Oculi](#)

[My preferences](#)

[Logout](#)

Search

Find case: [Search](#)

Find Party: [Search](#)

Find organisation: [Search](#)

Font size

A- A A+

9:15 AM

ANNEX D. SCREENSHOTS OF NEW YORK STATE COURT CASE INFORMATION WEBSITE

(https://iapps.courts.state.ny.us/webcrim_attorney/AttorneyWelcome)

New York State Unified Court System
COURTS: WebCriminal

Home
WebCriminal

Case Search
Case Identifier
Defendant
Court Calendar

eCourts
WebCriminal Mobile
eCourts Home
WebCivil Local
WebCivil Supreme
WebFamily
eTrack


Your Account
Login

Welcome
WebCriminal provides information on criminal cases with future appearance dates for selected New York State Courts of criminal jurisdiction.


Note: Summons information is generally not available until several weeks after the date issued. Please check back if your summons information is not available at this time.

Available Search Options

1. **Case Identifier**
Allows you to search by the Case Number or Summons Number.
2. **Defendant Name**
Allows you to search by the Defendant's First and Last Name, or the Name of a Corporation.
3. **Court Calendar**
Allows you to generate a court calendar by Court Part or Judge (in Supreme and County Court).



New York State Unified Court System

 **COURTS: WebCriminal**

Home
WebCriminal

Case Search

Case Identifier

►Defendant

Court Calendar

eCourts

WebCriminal Mobile

eCourts Home

WebCivil Local

WebCivil Supreme

WebFamily

eTrack

Your Account

Login

Defendant Search

* Denotes required data

- Enter a person's First and Last Name or a Corporation Name *

Enter at least the first two characters of the first and last names or the first five characters of the corporation name.

First Name	Last Name
<input type="text" value="joseph"/>	<input type="text" value="johnson"/>

-OR-

Corporation Name
- Narrow your results by County/Court

You can either search all available courts or you can select a court from the list.

County/Court
- Select an output format

Results will be displayed on this page, unless a PDF output is selected. Don't have a PDF viewer installed on your PC, [Download Adobe Reader](#).

Display Search Results

☒ On this Page
☐ As a PDF Document

Search



New York State Unified Court System

COURTS: WebCriminal

Home
WebCriminal

Case Search
Case Identifier
▶ Defendant
Court Calendar

eCourts
WebCriminal Mobile
eCourts Home
WebCivil Local
WebCivil Supreme
WebFamily
eTrack

Your Account
Login

Defendant Search Results

YOU SEARCHED ON

Defendant: **Joseph Johnson**
County:

[Modify Search](#) [New Search](#)

Search Results 1 through 16 of 16

Note: To view case details, click the case # link (opens in new window).

Case #	Defendant	Summons #	Appearance Date	Court	Judge	Part
00502-2014	Johnson, Joseph		05/06/2016	Bronx Supreme Court - Criminal Term	Clancy, M	28
2013SN068331	Johnson, Joseph	4325115353	05/06/2016	New York Criminal Court	Watters, Joanne	NYAR-1
2016NY028630	Johnson, Joseph		05/06/2016	New York Criminal Court	Watters, Joanne	APAR1
00761S-2014	Johnson, Joseph		05/10/2016	Westchester County Court - Criminal Term	Zambelli, B	MH
2015SK049268	Johnson, Joseph	4423182734	06/01/2016	Kings Criminal Court		CATCH
2014SK044722	Johnson, Joseph	4415168693	07/01/2016	Kings Criminal Court		CATCH
2016SR000195	Johnson, Joseph	4421285939	07/05/2016	Richmond Criminal Court		SAP
2013SN068331	Johnson, Joseph	4325115353	11/04/2016	New York Criminal Court		SAP
SCI-02088N-2011	Johnson, Joseph A		06/24/2016	Nassau County Court - Criminal Term	Gulotta, F	60
2016KN023655	Johnson, Joseph A		10/28/2016	Kings Criminal Court		FD
00663-2016	Johnson, Joseph E		05/25/2016	New York Supreme Court - Criminal Term		22-DWI
2016NY020040	Johnson, Joseph G		05/19/2016	New York Criminal Court		F
2016KN000341	Johnson, Joseph H		07/01/2016	Kings Criminal Court		AP2

Close
Case Details
Case Details
Summary
Appearances
Charges
Motions

Case Details - Summary



CASE INFORMATION

Court: Westchester County Court - Criminal Term
Case #: 00761S-2014
Defendant: Johnson, Joseph

Add Case to eTrack

Index

1. [Defendant](#)
2. [Incident and Arrest](#)
3. [Attorney Information](#)
4. [Docket Sentence](#)
5. [Next Appearance](#)

Defendant

Name: Johnson, Joseph
Birth Year: 1966
NYSID: 7287124K

[Back to Index](#)

Incident and Arrest

Incident

Date: March 18, 2014
CJTN: 66614756R

Arrest

Date & Time: May 14, 2014 11:55
Arrest #: 0018440

Officer

Agency: PPD
Command:

[Back to Index](#)

Attorney Information

Defense Attorney

Name: Bauer, R
Type: Legal Aid
Court Date: October 14, 2014
Court Part: MH-SCI
Address: 150 Grand St., 1st Floor, White Plains, NY 10601
Phone: 914 - 286 - 3400

Assistant District Attorney

Name: Fitzgerald,
Assigned: April 5, 2016

[Back to Index](#)

Next Appearance

Date: May 10, 2016
Court: Westchester County Court - Criminal Term
Judge: Zambelli, B
Part: MH

[Back to Index](#)


Docket Sentence

No Sentence Information on File

[Back to Index](#)



New York State Unified Court System

 **COURTS: WebCriminal**

Close
Case Details

Case Details

Summary

Appearances

► Charges

Motions

Case Details - Charges



CASE INFORMATION

Court:
Westchester County Court - Criminal Term
Case #:
00761S-2014
Defendant:
Johnson, Joseph

Charge	Detail	Disposition/Sentence
PL 110-220.39 01 **TOP CHARGE**	C Felony, 1 count, Not an arrest charge, Not an arraignment charge Description: <i>Attempted Cscs-3rd:narcotic Drug</i> Indictment Count: <i>1</i> Weapon/Drug: <i>Dangerous Drug</i> Date Added: <i>10/21/2014</i>	Pled Guilty
PL 220.03 00	A Misdemeanor, 1 count, Not an arrest charge, Not an arraignment charge Description: <i>Crim Poss Contrl Subst</i> Indictment Count: <i>2</i> Weapon/Drug: <i>Dangerous Drug</i> Date Added: <i>10/21/2014</i>	Pled Guilty

[Back to top](#)